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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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DANIEL PATRICK GUERIN,

Plaintiff,

v.

JOSEPH NICOLO ARICO,

Defendant.

Case No.18-cv-02362-VKD

**ORDER FOR SERVICE BY
PUBLICATION**

Re: Dkt. No. 19

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Plaintiff Daniel Guerin renews his motion for leave to serve defendant Joseph Arico by publication. Having reviewed the moving papers, the Court finds that Mr. Guerin has established by affidavit reasonable diligence in his efforts to locate and serve Mr. Arico and that a cause of action exists against him. Cal. Code Civ. Proc. § 415.50(a)(1); *Harris v. Cavasso*, 68 Cal. App.3d 723, 725 (1977). Accordingly, the Court grants Mr. Guerin's motion for leave to effect service by publication as follows:

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Mr. Guerin shall cause the summons to be published in the San Francisco Chronicle newspaper, two times per week for a period of three weeks. Publication shall be completed no later than the November 30, 2018 deadline for service.

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By the November 30, 2018 deadline for service, Mr. Guerin shall also (1) mail another copy of the complaint and summons, along with a copy of this order, to Mr. Arico at the San Francisco address Mr. Guerin has identified for Mr. Arico; (2) provide another copy of the complaint and summons, along with a copy of this order, to the attorney retained by Mr. Arico's

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1 insurance company; and (3) file a certificate of service with the Court.

2 **IT IS SO ORDERED.**

3 Dated: November 9, 2018

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VIRGINIA K. DEMARCHI
United States Magistrate Judge

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